

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

CAROL WILSON FINE ARTS, INC.,

Civil No.: 3:14-CV-00587-AA

An Oregon corporation,

Plaintiff,

v.

ZIFEN QIAN,

An individual,

Defendant.

**DEFENDANT ZIFEN QIAN'S OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT has been demonstrating the misunderstanding and misplacing of the principles of US copyright laws and US constitution. Plaintiff's unlawful registration of Zifen Qian's original paintings to be CWFA's copyrights infringed Zifen Qian's copyrights and damaged Zifen Qian's professional reputation and constitutional rights.

Zifen Qian as a lawful and natural author of every his painting has done during the 21 years holds copyrights of his own paintings including those have been selected by Carol Wilson Fine Arts, Inc. to be published on greeting cards and related paper products. Those painting creations were not part of his Employment Agreement. Those were part of Zifen Qian's academic researches and practices. Zifen Qian never sign any agreement relates to his paintings with Carol Wilson Fine Arts, Inc. All Zifen Qian's paintings have been published on CWFA greeting cards have printed "Watercolor by Zifen Qian" as author name on the back of each card and his signatures have been published along with his paintings on CWFA publications as well. Therefore Zifen Qian's paintings are nothing relating to "work made for hire" definition. Those paintings represent Zifen Qian's style, philosophy, sprit, emotion and personality with independent academic value beyond CWFA publication need. Those paintings are important part of Zifen Qian Paintings and will be remaining in the art history, and people will always recognize the fact by generations to come.

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT has no legal base to support and should be denied by the court.

A handwritten signature in black ink, appearing to read 'Zifen Qian', with a stylized, flowing script.

Zifen Qian

2811 Beacon Hill Drive

West Linn, OR 97068

[Zifen@live.com](mailto:Zifen@live.com)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on September 4th, 2014, a copy of DEFENDANT ZIFEN QIAN'S OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT was served by US Mail and email to:

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Attorney for Plaintiff

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By: Zifen Qian

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